

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33501-2019(O&M)

Date of decision: 06.11.2019

Yogeshwar Bhabota

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Arnav Sood, Advocate for the petitioner
Mr. S.P.S.Tinna, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 20.8.2019, following order was passed by this Court:-

“Petitioner prays for grant of anticipatory bail in FIR No.115 dated 28.07.2019 registered under Sections 452, 323, 324, 506, 294, 34 of the Indian Penal Code and Section 326 of the Indian Penal Code added later on at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner contends that the alleged incident is of 13.07.2019 whereas FIR was registered on 28.07.2019 i.e. after a delay of 15 days and in the FIR itself, it has been recorded that the talks of compromise were going on and, therefore, the FIR was not registered. He further submits that the petitioner is nephew of the first informant (injured). He also submits that injury attributed to the petitioner is on

the non-vital part of the body and in the application for grant of anticipatory bail before the Additional Sessions Judge, Hoshiarpur, petitioner was granted interim protection and directed to join investigation which was duly complied with by the petitioner. He further submits that later on offence under Section 326 IPC was added due to which the learned Additional Sessions Judge chose to reject the prayer for anticipatory bail.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Let a copy of the petition be handed over to the learned counsel for the State during the course of day.

Adjourned to 23.10.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Gurmail Singh has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view of the above, order dated 20.8.2019 is hereby made absolute.

Petition stands allowed.

06.11. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No